

Comparison of HB 549 (2023) and HB 562 (2023)

	<u>HB 549</u>	<u>HB 562</u>
<i>Districts</i>	Establishes public charter schools and districts.	Establishes community choice schools but no districts.
<i>Applicants</i>	Applicants must be residents located in the school district or county or the local school board of the district to submit a proposal for a public charter school.	Applicants submitting a proposal for a community choice school can be any person and does not need to reside in the particular district.
<i>Board of Public Education Role</i>	BPE responsible for approving or denying proposals for public charter schools, as well as management of contracts.	Autonomous state community choice school commission attached to BPE responsible for approving or denying proposals for community first choice schools and managing contracts.
<i>Soliciting Proposals</i>	BPE responsible for soliciting and evaluating charter school proposals.	Community choice school commission responsible for soliciting and evaluating community choice school proposals.
<i>Delegation of Authorization</i>	Only the BPE may authorize the creation of public charter schools, and only at publicly held meetings.	The commission may approve local school boards to be authorizers of, and be responsible for, the creation of community choice schools. The commission will provide oversight of these approved authorizers.
<i>Terms for Charter Contracts</i>	Laid out terms for initial charter contracts for public charter schools. Only the BPE may establish preopening requirements and conditions for newly approved public charter schools.	Laid out terms for initial charter contracts for community choice schools. Authorizers may establish preopening requirements and conditions for newly approved community choice schools.

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<i>Purchases</i>	A competitive bidding process must occur for purchases or contracts exceeding \$80,000.	Community first choice schools may not be required to purchase services from the choice school's authorizer and may purchase goods and services from for-profit providers. A competitive bidding process must occur for purchases or contracts exceeding \$80,000.
<i>Governing Boards</i>	Provides guidelines for the structure of a governing board for a public charter school not governed by the local school board and allows for members to serve a term of five years. Qualified electors are the voting population of the district.	Provides guidelines for the structure of a governing board of independent volunteer trustees for a community choice school who are elected by electors consisting of parents, guardians, and employees of the choice school. Does not provide term limits for governing boards other than the first board, which is up to three years.
<i>Enrollment</i>	Open to any student residing in Montana but allows for preferential admission for students residing in the district, who attended the previous year, who are siblings of students already enrolled, and who are children of members of the governing board or employees of the school.	Open to any student residing in Montana but allows for preferential admission for students residing in the district, who attended the previous year, who are siblings of students already enrolled, and who are children of members of the governing board or employees of the school.
<i>Charter Contract Revocation and Closure</i>	The Board of Public Education may subject a charter contract to nonrenewal or revocation. The BPE oversees the closure and works with the governing board of the public charter school to ensure a smooth transition.	The authorizer may subject a charter contract to nonrenewal or revocation. The authorizer oversees the closure and works with the school to ensure a smooth transition.

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<i>Operation and Autonomy</i>	A public charter school must be a public education organization. A public charter school/district may not be created within the boundaries of a third-class elementary/high school district unless the applicant is a local school board.	A community choice school must be a nonprofit education organization. A choice school may only be created within the geographical boundaries of a third-class elementary/high school district if one of several requirements are met.
<i>Funding</i>	<p>1. A public charter school, <u>governed by a local school board</u>, is to receive funding through the current school funding formula plus a basic entitlement if it meets the criteria stated in the bill for number of ANB for a basic entitlement. The criteria are as follows:</p> <p>80% of the basic entitlement if the public charter school ANB is greater than:</p> <ul style="list-style-type: none"> • 70 elementary ANB • 20 middle school ANB or • 40 high school ANB <p>2. When a <u>public charter school district</u> is operated by the governing board, funding for the <u>public charter school district</u> must be distributed as BASE aid. The minimum and maximum amount of public funding allowed for a public charter school <u>district</u> is to include the following from K-12 public school funding formula components:</p> <p>80% of the basic entitlement, if the public charter school ANB is greater than:</p> <ul style="list-style-type: none"> • 70 elementary ANB • 20 middle school ANB or • 40 high school ANB 	<p>A community choice school is to have funds directed from the public school district of residence to the community choice school for each enrolled student from the residence school district as described as a student amount. The student amount is defined as follows:</p> <p>The data for achievement payment rate under 20-9-306, MCA</p> <p>The Indian education for all payment rate under 20-9-306, MCA</p> <p>140% of the per-ANB amounts of the instructional block grant and related services block grant under 20-9-321, MCA and</p> <p>The applicable per-ANB maximum rate established in 20-9-306, MCA, for the choice school student multiplied by the ratio, rounded to the nearest one hundredth and not to exceed 1.00, of the resident district's adopted general fund budget to the district's maximum general fund budget in the prior year.</p> <p>The redirection of fund is to be performed by the superintendent of public instruction.</p> <p>Additionally, the community choice school is to receive "up to 80% basic entitlement" chosen and budgeted for the choice school and is to be directed</p>

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	80% of the total per ANB entitlement 100% of the total quality educator payment 100% of the total at-risk student payment 100% of the total Indian ed. for all payment 100% of the total American Indian achievement gap payment 100% of the total data for achievement payment 140% of the special education allowable cost payment	by the superintendent of public instruction from the public school district of choice school location to the choice school.
<i>School Access to Facilities and Land</i>	Public charter school has right of first refusal to purchase or lease at or below fair market value a closed public school, facility, or property, or an unused portion of a public school facility or property within the located school district.	Community choice school has right of first refusal to purchase or lease at or below fair market value a closed public school, facility, or property, or an unused portion of a public school facility or property within the located in a school district from which the choice school draws its students.
<i>School Account</i>	Public charter school account administered by BPE to support the creation and operation of the public charter schools.	Community choice school account administered by the commission to support the creation and operation of the MT community choice schools and commission.
<i>Severability Clause</i>	Severability clause.	No severability clause.